

MINUTES
COMMITTEE ON LAW & LICENSING

January 19, 2012 - 5:00 p.m.
Common Council Chambers, City Hall

Members Present: Chairperson Ald. Jodi VanderWeele, Vice Chairperson Ald. Julie Kath, Ald. Fred Boeldt, Ald. Joel Hammen
Excused: Ald. Scott Versey
Others in Attendance: Assistant City Attorney Charles Adams, Lt. Scott Mittelstadt, Lt. Douglas Teunissen, Licensing Clerk Cinda Langhoff, Russell Gahagan, Paul Roberts, Jr., Sean Ricks, Cynthia D. Christman, Krista L. Stobbe, Joseph P. Bonelli, Leo Bonelli, Stanley J. Petek, Fern M. Meyer, Jennifer L. Koenig, Pamela M. Behnke, Dave Repinski

Chairperson VanderWeele called the meeting to order at 5:00 p.m.

The Pledge of Allegiance was recited.

Introduction of committee members, staff and guests.

A motion to approve the minutes of the previous meetings held January 5, 2012 and January 12, 2012 was made by Ald. Hammen and seconded by Ald. Boeldt. **All ayes; motion approved.**

Possible action regarding Alc. Bev. Lic. No. 2704-El Gallo Giro (Efren Martinez, Agent)

Efren Martinez failed to appear before the committee for a second time. As of January 1, 2012, El Gallo Giro is in violation of the City's continuation of business ordinance. Ald. Hammen moved, seconded by Ald. Kath, to schedule a quasi-judicial hearing. **All ayes; motion approved.**

Presentations by potential applicants for available "Class B" alcohol beverage licenses

There is presently one "Class B" alcohol beverage license available. Paul Roberts, Jr. and Russell Gahagan appeared before the committee and made a presentation on behalf of Anglers Avenue. The Anglers Avenue pub/grill will open at the end of February and is adjacent to their retail space.

Discussion and action regarding granting opportunity to apply for available "Class B" alcohol beverage licenses

A motion was made by Ald. Kath, seconded by Ald. Hammen, to invite Anglers Avenue to apply for the available "Class B" alcohol beverage license. **All ayes; motion approved.**

R.O. No. 330-11-12 (19-9) – Alarm Business Permit Lic. App. No. 2663 (Vivint, Inc.)

Submitting an Alarm Business Permit License Application #2663 for Vivint, Inc., 4931 North 300, West Provo, UT 84604.

Sean Ricks of Vivint, Inc. appeared before the committee to discuss the application. Mr. Ricks indicated that there are 249 current customers in Sheboygan and without this permit Vivint would be unable to continue servicing these customers. Mr. Ricks advised the Clerk's Office that they should inform Vivint if they receive any complaints regarding salespersons using high-pressure sales tactics in the future. A motion was made by Ald. Boeldt, seconded by Ald. Kath, to approve the application. **All ayes; motion approved.**

R.O. No. 318-11-12 (18-42) – Various License Applications: Bev. Op. Lic. App. Nos. 9410 (Cynthia D. Christman), 9414 (Brian J. Smith)

Submitting various license applications for the period ending June 30, 2012 and June 30, 2013.

Cynthia D. Christman appeared before the committee to discuss her application. After discussion of her record and her failure to include a violation on her application, Ald. Kath moved, seconded by Ald. Hammen, to grant the license contingent upon the application being corrected, and with a warning to include all relevant information on future applications. **Three ayes and one abstention (Ald. Boeldt); motion approved.**

Brian J. Smith failed to appear before the committee. Ald. Hammen moved, seconded by Ald. Boeldt, to deny the license application based upon Mr. Smith's failure to accurately reveal all relevant convictions on his application and his failure to cooperate with the committee. **All ayes; motion approved.**

R.O. No. 328-11-12 (19-18) – Various License Applications: Bev. Op. Lic. App. No. 9419 (Krista L. Stobbe)

Submitting various license applications for the period ending June 30, 2012 and June 30, 2013.

Krista L. Stobbe appeared before the committee to discuss her application. After discussion of her record and her failure to include violations on her application, Ald. Boeldt moved to grant the license with a warning. **Motion died for lack of a second.** Ald. Hammen moved, seconded by Ald. Kath, to deny the license application based upon Ms. Stobbe's failure to accurately reveal all relevant convictions on her application and her record of violations related to the licensed activity. **Two ayes, one nay (Ald. Boeldt) and one abstention (Ald. VanderWeele); motion failed.** Ald. Hammen moved, seconded by Ald. Boeldt, to refer Ms. Stobbe's beverage operator's license application to the Common Council with no recommendation. **Three ayes and one abstention (Ald. VanderWeele); motion approved.**

Possible action regarding Alc. Bev. Lic. No. 2301-Mojo (Joseph P. Bonelli, Agent)

Joseph P. Bonelli appeared before the committee. Ald. Hammen moved, seconded by Ald. Kath, to issue a warning to Mr. Bonelli regarding the sale of alcohol to underage persons at Mojo on August 10 and November 29, 2011. **All ayes; motion approved.**

Possible action regarding Alc. Bev. Lic. No. 1252-Petek's Tavern (Stanley J. Petek, Agent)

Stanley J. Petek appeared before the committee. Ald. Kath moved, seconded by Ald. Hammen, to issue a warning to Mr. Petek regarding the sale of alcohol to underage persons at Petek's Tavern on April 9 and June 9, 2011. **All ayes; motion approved.**

Possible action regarding Alc. Bev. Lic. No. 2142-Talk of the Town (Fern M. Meyer, Agent)

Fern M. Meyer appeared before the committee. Ald. Boeldt moved, seconded by Ald. Hammen, to issue a warning to Ms. Meyer regarding the sale of alcohol to underage persons at Talk of the Town on March 29 and December 2, 2011. **All ayes; motion approved.**

Possible action regarding Bev. Op. Lic. No. 8203 (Jennifer L. Koenig)

Jennifer L. Koenig appeared before the committee. Ald. Hammen moved, seconded by Ald. Kath, to issue a warning to Ms. Koenig regarding the sale of alcohol to underage persons at Beans on 12th on December 2, 2011. **All ayes; motion approved.**

Possible action regarding Bev. Op. Lic. No. 2528 (Pamela M. Behnke)

Pamela M. Behnke appeared before the committee. Ald. Kath moved, seconded by Ald. Hammen, to issue a warning to Ms. Behnke regarding the sale of alcohol to underage persons at The Cove on December 2, 2011. **All ayes; motion approved.**

R.O. No. 86-11-12 (6-43) – Various License Applications: Taxicab Driver Lic. App. No. 9163 (Noemy Loya)

Submitting various license applications for the period ending June 30, 2012 and June 30, 2013.

Noemy Loya still has not provided a valid social security number to the City Clerk's Office. Ald. Hammen moved, seconded by Ald. Kath, to hold this license application until Ms. Loya presents a valid social security number to the City Clerk's Office. **All ayes; motion approved.** This license application will not be placed on future agendas until the last meeting in June, 2012 at which time it will be placed on file.

R.O. No. 342-11-12 (20-31) – Various License Applications

Submitting various license applications for the period ending June 30, 2012 and June 30, 2013.

Ald. Hammen moved, seconded by Ald. Kath, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 9434 (Joshua M. Altmann). **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Hammen, to grant a license to Bev. Op. Lic. App. No. 6932 (Kimberly A. Aschenbach). **All ayes; motion approved.**

Ald. Hammen moved, seconded by Ald. Boeldt, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 9427 (Amanda L. Bedore). **All ayes; motion approved.**

Ald. Boeldt moved, seconded by Ald. Hammen, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 9431 (Brittany L. Burt). **All ayes; motion approved.**

Ald. Hammen moved, seconded by Ald. Kath, to grant a license to Bev. Op. Lic. App. No. 9432 (Aubrey M. Faust). **All ayes; motion approved.**

Ald. Hammen moved, seconded by Ald. Boeldt, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 9445 (Nicholas R. Galante). **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Hammen to call in Bev. Op. Lic. App. No. 9426 (Scott J. Kress) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Boeldt to call in Bev. Op. Lic. App. No. 1765 (Timothy L. Loiselle) to discuss his application with the committee. **Three ayes and one nay (Ald. VanderWeele); motion approved.**

Ald. Boeldt moved, seconded by Ald. Hammen, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 9443 (Shanna M. Lopez). **All ayes; motion approved.**

Ald. Boeldt moved, seconded by Ald. Hammen to call in Bev. Op. Lic. App. No. 9436 (Angelica Emilia Malfavon) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Boeldt moved, seconded by Ald. Kath to call in Bev. Op. Lic. App. No. 4530 (Michael S. Schaeve) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Hammen moved, seconded by Ald. Boeldt to call in Taxicab Op. Lic. App. No. 9425 (Bonnie L. Bohlman) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Hammen moved, seconded by Ald. Kath, to grant the remainder of the license applications for individuals and entities listed on the above-referenced R.O. **All ayes; motion approved.**

Discussion and possible action regarding law violations that may require future action by the Committee

After hearing a brief report from ACA Adams regarding the bars and bartenders that have had violations under Operation Absolutely 21 since the large batch of call-ins in January, Ald. Hammen made a motion, seconded by Ald. Kath, to call in the following license holders to discuss the violations with the committee, and also to send a letter and issue another warning to the five license holders (Sly's, Guadalajara's, Jose's, Blue Lite, NZ's) who had already been called in on January 12, 2012:

Date of Violation(s)	License Number	License Holder
12/21/11	2741	Clairmont's Northstar I, 3004 North 8th St. (Patrick Clairmont, Agent)
12/21/11	1360	** Slys Midtown Saloon, 508 N. 8th St. (David Sly, Agent)
12/21/11	8115	Leonard-Froh, Sheryl (Slys)
12/30/11	1419	The Bunker (VFW Post 1230), 1138 Union Ave. (Jerome Wenninger, Agent)
12/30/11	8866	Marzahl, Nicolaus J. (The Bunker)
12/30/11	2584	** Guadalajara Mex Bar & Grill, 1129 S. 8th St. (Maribel Medina, Agent)
12/30/11	9436	Malfavon, Angelica Emilia <i>[already being called in 2/9/12 on R.O. 342-11-12 (20-31)]</i>
12/30/11	2685	Lino Ristorante Italiano, 422 South Pier Dr. (Therese M. Janssen, Agent)
12/30/11	7052	Schad, Jamie L. (Lino)
12/30/11	1693	Zieggys II, 933 Indiana Ave. (Martin L. Corson, Agent)
12/30/11	7505	Allen, Marla J. (Zieggys)
12/30/11	2712	** Jose's (supermarket), 1332 S. 13th St. (Jose A. Perez, Agent)
12/30/11		Roman, Alicia [DOES NOT HAVE A LICENSE] (Jose's)
12/30/11	2373	Duke of Devon, The, 739 Riverfront Dr. (Stefano Viglietti, Agent)
12/30/11		Ellis, Jessica R. [DOES NOT HAVE A LICENSE] (Duke of Devon)
12/30/11	1067	Citystreets Riverside, 712 Riverfront Dr. (William A. Gottsacker, Agent)
12/30/11		Shannon, Patrick R. [DOES NOT HAVE A LICENSE] (Citystreets)
01/05/12	1035	** Blue Lite, The, 1029 N. 8th St. (Dean D. Dayton, Agent)
01/05/12	8169	Marks, Andrew P. (The Blue Lite)
01/05/12	2866	Night Moves, 1210 Michigan Ave. (Thomas E. Laiken, Agent)
01/05/12	9378	Larsen, Karita (Night Moves)
01/05/12	2850	** N Z's Bar & Grill, 1022 Michigan Ave. (Jason J. Neels, Agent)
01/05/12	5249	Nennig, Nathan S. (NZ's Bar & Grill)

** will be issued another warning – had been called in January 12, 2012 for one violation

All ayes; motion approved.

Ald. Hammen made a motion to adjourn. Ald. Boeldt seconded the motion. **All ayes; motion approved.**

There being no further business to come before the committee, the meeting was adjourned at 6:05 p.m.

The next committee meeting is scheduled to be held on February 9, 2012 at 5:00 p.m. in the Common Council Chambers located at City Hall, 828 Center Avenue.